

Report Date: March 22, 2011

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**MAR 22 2011**JAMES R. LARSEN, CLERK
YAKIMA, WASHINGTON DEPUTY**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Hilario Moreno Garcia

Case Number: 2:11CR00041-001

Address of Offender:

Moses Lake, WA 98837

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: 11/12/2002

Original Offense: Conspiracy to Distribute Methamphetamine, 21 U.S.C. § 841(a)(1), 841(b)(1)(A), and 846

Original Sentence: Prison - 60 Months; TSR - 60 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Unassigned

Date Supervision Commenced: 3/24/2006

Defense Attorney: Unassigned

Date Supervision Expires: 3/23/2011

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance1 **Mandatory Condition #3:** The defendant shall not illegally possess a controlled substance.**Supporting Evidence:** On March 21, 2011, a plastic bag containing the residue of a white powder which field tested positive as cocaine, was found in Hilario Moreno Garcia's residence.2 **Mandatory Condition # 4:** The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.**Supporting Evidence:** On March 22, 2011, Hilario Moreno Garcia admitted in writing that he used cocaine and marijuana on March 18, 2011. Mr. Garcia submitted to a urine drug testing that provided a presumptive positive test for cocaine.3 **Standard Condition # 7:** The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.

Prob12C

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Supporting Evidence: On March 21, 2011, a soft drink can which was modified to smoke marijuana and contained the burnt residue of marijuana, was found in Hilario Moreno Garcia's residence.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 03/22/2011

s/Curtis G. Hare

Curtis G. Hare
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other


Signature of Judicial Officer *Ch. Seale*

3/22/11
Date